

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
TECHNOLOGICAL ADVISORY COUNCIL (TAC))
TECHNICAL INQUIRY INTO REFORMING TECHNICAL)
REGULATIONS) ET Docket No. 17-215

I. INTRODUCTION

It is on a positive note that, "...the FCC has asked its Technological Advisory Council to help identify FCC technical rules that are obsolete or may be ripe for change." I also take this to mean that diligence in exploring the simplification of certain rules will reduce the FCC's work load for the FCC's Engineers and Practicing Engineers in the field.

In that vein this respondent has a suggestion for bringing specific Part 73 processes up to date.

II. BACKGROUND

In emergency situations, as we have recently observed after various disasters, a commercial AM or FM station may need to quickly bring on-line transmitting equipment in order to serve its public. Messages pertaining to sources of food, water, shelter, and medical services are vital to the restoration of a community after disruption by disastrous weather, terrorist attacks, or geological disruptions such as earthquakes. International events involving intercontinental weapons may require measures for which local communications would be even more vital to the community of service.

The source most people would turn to for emergency information would be their local AM and FM stations, since cell phone, internet, and TV operations would most likely be unavailable.

Since many broadcast stations have their backup transmitters co-located with their main transmitters, both transmitters may have been inundated with water, mud, or other debris, making both inoperable.

In the view of this respondent, a further simplification of Sections 73.1 and 73.3 is needed in order to affect the rapid return of broadcasting services during emergencies.

III. DISCUSSION

Section 73.3542 Application for emergency authorization, states in part:

“(a) Authority may be granted, on a temporary basis, in extraordinary circumstances requiring Emergency operation to serve the public interest. such situations include: emergencies involving danger to life and property; a national emergency proclaimed by the President or the Congress of the U.S.A and; the continuance of any war in which the United States is engaged, and where such action is necessary for the national defense or security or otherwise in furtherance of the war effort.

(1) An informal application may be used. The FCC may grant such construction permits, station licenses, modifications or renewals thereof, without the filing of a formal application.

(2) No authorization so granted shall continue to be effective beyond the period of the emergency or war requiring it.”

Under **73.3542(a)(vi)**, the equipment requirement is as follows: “Equipment to be used, specifying the manufacturer and type or model number (not required for renewal; required for modification only to the extent such information may be involved).”

One of the problems encountered is that emergency transmitting equipment that may be available or needed may not be a type accepted transmitter listed in the FCC’s database.

Regarding Emergency Antennas, Section **73.1680** states, “In any event, the licensee must request authority from the FCC to continue use of an Emergency Antenna beyond the initial 24 hour period specified in this section.”

Most emergencies in the recent past have required as many as 10 days or more of operation on either a wire or one of the remaining antennas in order to broadcast emergency information.

IV. Suggestions for Simplification and Clarification of Part 73.

The following is suggested in order to simplify specific Part 73.3 and Part 73.1 rules for Emergency Situations:

73.3542(a)(vi) “Equipment to be used, specifying the manufacturer and type or model number (not required for renewal; required for modification only to the extent such information may be involved),”

be changed to:

73.3542(a)(vi) Equipment to be used during any emergency situation may be any equipment meeting the spectral requirements specified in Part 73.44. ANSI/EIA-549-1988, NRSC-1 AM Preemphasis is waived during the duration of the emergency. The informal application must be filed no later than 15 days after the cessation of the emergency.

Similarly,

Section **73.1680** states in part,

“§ 73.1680 Emergency antennas.

- (a) An emergency antenna is one that is erected for temporary use after the authorized main and auxiliary antennas are damaged and cannot be used.
- (b) Prior authority from the FCC is **not** required by licensees and permittees to erect...However, an informal letter request to continue operation with the emergency antenna must be made within 24 hours to the FCC in Washington, DC, Attention: Audio Division (radio) or Video Division (television), Media Bureau, within 24 hours after commencement of its use. The request is to include a description of the damage to the authorized antenna, a description of the emergency antenna, and the station operating power with the emergency antenna.
 - (1)**AM stations.** AM stations may use a horizontal or vertical wire or a nondirectional vertical element of a directional antenna as an emergency antenna. AM stations using an emergency nondirectional antenna or a horizontal or vertical wire pursuant to this section, in lieu of authorized directional facilities, shall operate with power reduced to 25% or less of the nominal licensed power, or, a higher power, **not** exceeding licensed power, while insuring that the radiated field strength does **not** exceed that authorized in any given azimuth for the corresponding hours of directional operation.
 - (2)**FM, TV and Class A TV stations.** FM, TV and Class A TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna...”

Be changed to,

(b) ...**However, an informal letter request must be filed no later than 15 days after the cessation of any emergency. The request is to include a description of the damage to the authorized antenna, a description of the emergency antenna, and the station operating power with the emergency antenna.**"

(1)**AM stations.** AM stations may use a horizontal or vertical wire or a nondirectional vertical element of a directional antenna as an emergency antenna. AM stations using an emergency nondirectional antenna or a horizontal or vertical wire pursuant to this section, in lieu or authorized directional facilities, and **shall operate with the power available from the emergency transmitter up to the authorized licensed power.**

(2)**FM, TV and Class A TV stations.** FM, TV and Class A TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna, and **shall operate with the power available from the emergency transmitter up to the authorized licensed power.**

V. Summary

These changes would allow local and regional stations to do their due diligence, that is, to serve the public interest during the emergency, and *then* inform the FCC of the emergency situation via the informal application.

Respectfully submitted for your consideration,

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04 October, 2017
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